

United States Department of the Interior Bureau of Land Management

Determination of NEPA Adequacy
DOI-BLM-UT-Y010-2017-0285-DNA

March 2018 Competitive Oil and Gas Lease Sale September 2017

Location: Canyon Country District, Moab & Monticello Field Offices
Grand & San Juan Counties, Utah

Applicant/Address: U.S. Department of the Interior
Bureau of Land Management
Utah State Office
440 West 200 South, Suite 500
Salt Lake City, Utah 84145-0155

Moab Field Office
82 East Dogwood
Moab, Utah 84532
Office (435) 259-2100
Fax (435) 259-2158

Monticello Field Office
365 North Main, P.O. Box 7
Monticello, Utah 84535
Office (435) 587-1500
Fax (435) 587-1518



Worksheet

Determination of NEPA Adequacy

U.S. Department of the Interior
Utah Bureau of Land Management

The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

OFFICE: Canyon Country District, Moab & Monticello Field Offices

TRACKING NUMBER: DOI-BLM-UT-Y010-2017-0285-DNA

PROPOSED ACTION TITLE/TYPE: Review of nominated parcels within the Moab Master Leasing Plan area to be offered for leasing during the March 2018 Competitive Oil and Gas Lease Sale.

LOCATION/LEGAL DESCRIPTION: See parcel list in Attachment A and maps in Attachment B.

APPLICANT (if any): U.S. Department of the Interior
Bureau of Land Management
Utah State Office
440 West 200 South, Suite 500
Salt Lake City, Utah 84145-0155

A. Description of the Proposed Action

The Bureau of Land Management (BLM), Utah State Office, proposes to offer 14 parcels of public land within the Canyon Country District for oil and gas leasing in a competitive lease sale to be held the week of March 19, 2018. The parcels comprise approximately 10,533.96 acres of federal mineral and surface estate in Grand and San Juan Counties, Utah. This Determination of NEPA Adequacy (DNA) addresses the 14 parcels located within the Moab Master Leasing Plan (MLP) area and includes portions (about 155 acres) of two parcels, parcel 024 and 027, which overlay the MLP boundary and are partially located within the Moab Resource Management Plan (Moab RMP) area and the Monticello Resource Management Plan (Monticello RMP) area, respectively. Thirty-two additional parcels were nominated for the March 2018 competitive oil and gas lease sale. Those parcels are located within the Moab RMP and Monticello RMP areas and impacts are analyzed in Environmental Assessment #DOI-BLM-UT-Y010-2017-0240-EA.

All parcels are open for leasing and would be issued with standard lease terms and conditions for development of the surface as provided in 43 CFR 3100 and BLM's Competitive Leasing Handbook H-3120-1. Stipulations and lease notices to protect other surface and subsurface resources would also apply, as prescribed by the MLP and/or respective RMP. Parcel configuration, stipulations, and lease notices are presented in Attachment A.

If any of the parcels are not leased through competitive bidding, they may be leased non-competitively for two years following the competitive sale. Federal oil and gas leases are issued for a primary term of 10 years, after which the lease would expire unless oil or gas are produced in paying quantities. A producing lease would be held indefinitely by paying production.

A lessee's right to explore and drill for oil and gas at some location in the lease is implied by issuance of the lease. The act of leasing does not authorize any development or use of the surface of lease lands without further application by the operator and approval by the BLM. In the future, the BLM may receive Applications for Permit to Drill (APDs) on those parcels that are leased. If APDs are received, the BLM conducts additional site-specific NEPA analysis before deciding whether to approve the APD and what conditions of approval should apply.

B. Land Use Plan (LUP) Conformance

LUP Name: Moab Master Leasing Plan

Date Approved: December 2016

LUP Name: Moab Resource Management Plan

Date Approved: October 2008

LUP Name: Monticello Resource Management Plan

Date Approved: November 2008

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

MLP Decision MIN-OG-2 (page 17)

The size of oil and gas lease parcels will be maximized to the extent possible. This will reduce the number of operators and thereby increase the likelihood of eliminating redundant infrastructure and corridors.

MLP Decision MIN-OG-3 (page 17)

Within Potash Leasing Areas (PLA) (103,619 acres), no new oil and gas leases will be issued until potash leases and permits are relinquished, cancelled, expired, or potash production is not established within 10 years after the date of the Approved Moab MLP.

MLP Decision MIN-OG-4 (page 18)

Apply a CSU stipulation (Baseline) in areas with sensitive resources in order to minimize the amount of surface disturbance and related impacts resulting from mineral development (213,218 acres, [MLP] Map 9). These resources include the Courthouse Wash Watershed, the Salt Wash Watershed, SRMAs (where specified), selected lands identified by BLM as having wilderness characteristics, areas inventoried as having a high visual quality (Visual Resource Inventory [VRI] Class II that is designated as VRM Class III), bighorn sheep habitat (except a small portion in the Potash Processing Facility Areas), sagebrush/steppe habitat (in areas with moderately high to very high ecological intactness), and crucial deer and elk habitat.

The specific areas where this stipulation applies are also identified in the sections for the referenced resources.

The Baseline CSU stipulation will reduce conflicts in areas with heavy recreation use, reduce the impacts to wilderness values, reduce visual intrusions, and reduce loss of wildlife habitat; it consists of the following:

- 1) Multiple wells per pad as appropriate.
- 2) Well pads will be placed no closer than 2-miles apart.
- 3) Production facilities will be collocated and designed to minimize surface impacts. Pipelines and utilities will be placed along existing roads.
- 4) Limit unreclaimed surface disturbance to no more than 15 acres per well pad (including associated facilities, roads, pipelines, and utilities) following interim reclamation.
- 5) Extensive interim reclamation of roadway disturbance and reclamation of well pads to well head/production facilities to minimize long-term surface disturbance.
- 6) Final reclamation fully restoring the original landform. Travel routes will be restored to their original character.
- 7) This stipulation allows for geophysical operations.
- 8) Compensatory mitigation outside the area of impact could be required to offset impacts to resources when onsite mitigation alone may not be sufficient to adequately mitigate impacts and achieve BLM resource objectives.

MLP Decision MIN-OG-7 (page 18; see [MLP] Map 11)

There are 0 acres open to oil and gas leasing, subject to existing laws, regulations, and formal orders; and the terms and conditions.

Approximately 230,765 acres are open to oil and gas leasing subject to CSU and TL stipulations.

Approximately 305,899 acres are open to oil and gas leasing subject to an NSO stipulation.

Approximately 145,284 acres are closed to oil and gas leasing.

Approximately 103,619 acres within the PLAs are open to oil and gas leasing subject to the results of the first phase of potash leasing and development. Of these 103,619 acres, 57,308 acres are managed with CSU and TL stipulations and 46,311 acres are managed with an NSO stipulation.

MLP Decision MIN-OG-8 (page 19)

Develop BMPs as appropriate to minimize the potential resource impacts associated with mineral development.

The following decisions apply only to the portion of parcel 024 outside the Moab MLP:

Moab RMP Decision MIN-12 (page 75)

Leasable Minerals: The plan will recognize and be consistent with the National Energy Policy Act and related BLM policy by adopting the following objectives: recognizing the need for diversity in obtaining energy supplies; encouraging conservation of sensitive resource values; improving energy distribution opportunities.

Moab RMP Decision MIN-13 (page 75)

Leasable Minerals: In accordance with an UDEQ-DAQ letter dated June 6, 2008 (See [RMP] Appendix J, Moab) requesting implementation of interim nitrogen oxide control measures for compressor engines; BLM will require the following as a Lease Stipulation and a Condition of Approval for Applications for Permit to Drill: (1) All new and replacement internal combustion oil and gas field engines of less than or equal to 300 design-rated horsepower must not emit more than 2 gms of NOx per horsepower-hour. This requirement does not apply to oil and gas field engines of less than or equal to 40 design-rated horsepower; (2) All new and replacement internal combustion oil and gas field engines of greater than 300 design rated horsepower must not emit more than 1.0 gms of NOx per horsepower-hour.

Moab RMP Decision MIN-14 (page 75)

Leasable Minerals: Lease stipulations have been developed to mitigate the impacts of oil and gas activity (see [RMP] Appendix A and [RMP] Map 12). The stipulations adhere to the Uniform Format prepared by the Rocky Mountain Regional Coordinating Committee in March 1989. Stipulations reflect the minimum requirements necessary to accomplish the desired resource protection and contain provisions/criteria to allow for exception, waiver and modification if warranted. Stipulations would be determined unnecessary if duplicative of Section 6 of the Standard Lease Terms. The BLM has identified Land-use Plan leasing allocations for all lands within the MbFO. In addition, the Approved RMP describes specific lease stipulations and program related BMPs (both found in [RMP] Appendix A: Stipulations and Environmental Best Practices Application to Oil and Gas Leasing and Other Surface Disturbing Activities) that apply to a variety of different resources.

The following decisions apply only to the portions of parcel 027 outside the Moab MLP:

Monticello RMP Decision MIN-6 (page 80)

The plan will recognize and be consistent with the National Energy Policy Act and related BLM policy by adopting the following objectives:

- recognizing the need for diversity in obtaining energy supplies;
- encouraging conservation of sensitive resource values; and
- improving energy distribution opportunities.

Monticello RMP Decision MIN-11 (page 81)

In accordance with an UDEQ-DAQ letter dated June 6, 2008, ([RMP] Appendix C) requesting implementation of interim nitrogen oxide control measures for compressor engines; the BLM will require the following as a Lease Stipulation and a Condition of Approval for Applications for Permit to Drill:

- All new and replacement internal combustion oil and gas field engines of less than or equal to 300 design-rated horsepower must not emit more than 2 grams (gms) of NOx per horsepower-hour. This requirement does not apply to oil and gas field engines of less than or equal to 40 design-rated horsepower.

- All new and replacement internal combustion oil and gas field engines of greater than 300 design rated horsepower must not emit more than 1.0 gms of NOx per horsepower-hour.

C. Identify the applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

- Moab Master Leasing Plan and Proposed Resource Management Plan Amendments/Final Environmental Impact Statement (MLP/FEIS) and Record of Decision
- Moab Field Office Proposed Resource Management Plan and Final Environmental Impact Statement (Moab RMP/FEIS) and Record of Decision
- Monticello Field Office Proposed Resource Management Plan and Final Environmental Impact Statement (Monticello RMP/FEIS) and Record of Decision

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

☒ Yes
☐ No

Documentation of answer and explanation:

The proposed action is a feature of the selected alternative analyzed in the MLP/FEIS, which focused exclusively on mineral leasing.

Portions of parcels 024 (9 acres) and 027 (146 acres), which are located within the Moab RMP and Monticello RMP areas, respectively, adjoin acreage within the MLP/FEIS. The geographic and resource conditions are identical to those found in the acreage within the MLP/FEIS.

Oil and gas leasing is a feature of the selected alternatives analyzed in the respective RMP/FEISs and impacts associated with leasing were specifically analyzed in those NEPA documents.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?

☒ Yes
☐ No

Documentation of answer and explanation:

In developing alternatives for the MLP/FEIS, Moab RMP/FEIS, and the Monticello RMP/FEIS, the BLM undertook highly collaborative, community-based planning processes. The alternatives

for each EIS were developed as a result of public and cooperating agency input which resulted in an adequate range of reasonable alternatives.

Four alternatives, including the No Action Alternative, were analyzed in detail in the MLP/FEIS and Moab RMP/FEIS. The Monticello RMP/FEIS analyzed five alternatives, including the No Action Alternative. As previously stated, the proposed action is a feature of the selected alternative in each NEPA document. BLM interdisciplinary review along with public review of the proposed parcels revealed there is no significant new information or other change in circumstances in regard to current environmental concerns, interests, or resource values, relative to the nominated parcels since the MLP/FEIS was finalized on December 15, 2016. Because there are no new environmental concerns or resource values identified that would render previously analyzed alternatives inadequate, the existing range of alternatives is appropriate.

3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

☒ Yes
☐ No

Documentation of answer and explanation:

The MLP/FEIS, Moab RMP/FEIS, and Monticello RMP/FEIS specifically address impacts of oil and gas leasing on a number of resources. No new information or circumstances have been presented relative to the nominated parcels. The analyses in the existing NEPA documents are adequate.

The cultural resources review and Native American consultation completed for this sale have not provided any new information or changed circumstances. Although compliance with Section 304 of the National Historic Preservation Act prohibits disclosure of the description, location, and/or land ownership of archaeological remains to the public, the Canyon Country District's Class I Inventory Report for the March 2018 lease sale adequately summarizes the absence or presence of archaeological inventories and cultural sites located within the parcels. Documented cultural resources are located in such a fashion that avoidance is feasible for the development of oil and gas potential. Based on the Class I Inventory Report, development of at least one well pad and associated access road can occur on each lease without adverse impacts to eligible cultural resources (except for leases issued with a No Surface Occupancy stipulation where there would be no surface disturbance and, thus, no impacts). SHPO consultation is currently ongoing.

A total of 13 Native American Tribes were notified of the proposed action on August 10, 2017, regarding the March 2018 lease sale. Tribal consultation is currently ongoing.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

☒ Yes
☐ No

Documentation of answer and explanation:

The MLP/FEIS, Moab RMP/FEIS, and Monticello RMP/FEIS included the lands within the proposed parcels in areas open to oil and gas leasing and development. Therefore, the direct, indirect, and cumulative effects resulting from the proposed action were analyzed, both qualitatively and quantitatively in the existing NEPA documents.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

☒ Yes
☐ No

Documentation of answer and explanation:

The public involvement and interagency review procedures and findings made through the development of the MLP/FEIS, Moab RMP/FEIS, and Monticello RMP/FEIS are adequate for the proposed leasing of parcels nominated for the March 2018 lease sale.

During the development of each of the NEPA documents, along with multiple news releases, Notices of Intent were published in the Federal Register, public scoping meetings were held, Notices of Availability of the draft EISs were published in the Federal Register, the draft EISs were released for comment, additional public meetings were held following release of the draft EISs, Notices of Availability of the final EISs were published in the Federal Register, and protest periods and consistency reviews took place.

E. Persons/Agencies/BLM Staff Consulted:

Moab Field Office

Name	Title	Resources
Becky Doolittle	Assistant Field Manager	Air Quality, Greenhouse Gas Emissions/Climate Change
Katie Stevens	Recreation Planner	Areas of Critical Environmental Concern, Historic Trails, Recreation, Visual Resources, Wild & Scenic Rivers
Don Montoya	Archaeologist	Cultural Resources, Native American Religious Concerns
Dave Williams	Range Management Specialist	Threatened Endangered or Candidate Plant Species
Jordan Davis	Range Management Specialist	Invasive Species/Noxious Weeds, Woodland/Forestry, Soils, Livestock Grazing, Rangeland Health Standards, Vegetation Excluding USFWS Designated Species
David Pals	Geologist	Groundwater Resources/Quality, Surface

		Water Resources/Quality, Wastes
Doug Rowles	Physical Scientist	Geology/Mineral Resources/Energy Production
Gabe Bissonette	Aquatics Ecologist	Wetlands/Riparian Zones, Floodplains
Josh Relph	NEPA Coordinator - Fire/Fuels	Fuels/Fire Management
Pam Riddle	Wildlife Biologist	Fish and Wildlife Excluding USFWS Designated Species, Threatened Endangered or Candidate Animal Species, Migratory Birds/Raptors, Utah BLM Sensitive Species
Jan Denney	Realty Specialist	Lands/Access
Bill Stevens	Outdoor Recreation Planner	Wilderness/WSA, Lands with Wilderness Characteristics, Socio-Economics, Environmental Justice, BLM Natural Areas
ReBecca Hunt-Foster	Paleontologist	Paleontological Resources

Monticello Field Office

Name	Title	Resources
Cliff Giffen	Natural Resource Specialist	Air Quality, Greenhouse Gas Emissions/Climate Change,, Soils, Environmental Justice, Socio Economics, Woodland/Forestry
Casey Worth	Recreation Planner	Areas of Critical Environmental Concern, Historic Trails, Recreation, Visual Resources, Wild & Scenic Rivers, Natural Areas, Wilderness and Wilderness Character,
John Chmelir	Archaeologist	Cultural Resources, Native American Religious Concerns, Areas of Critical Environmental Concern,
Melissa Wardle	Wildlife Biologist	Fish and Wildlife Excluding USFWS Designated Species, Threatened Endangered or Candidate Animal Species, Migratory Birds/Raptors, Utah BLM Sensitive Species,

		Threatened Endangered or Candidate Plant Species, Surface and Ground Water Resources/Quality
Jed Carling	Range Management Specialist	Wetlands/Riparian Zones, Floodplains, Livestock Grazing, Rangeland Health Standards, Vegetation Excluding USFWS Designated Species
Paul Plemons	Fuels Technician	Fuels/Fire Management
Ted McDougall	Geologist	Geology/Mineral Resources/Energy Production
Nephi Noyes	Range Management Specialist	Invasive Species/Noxious Weeds, Wastes
Rebecca Hunt Foster	Paleontologist	Paleontological Resources
Norbert Norton	Realty Specialist	Lands/Access

Note: Refer to the MLP/FEIS, Moab RMP/FEIS, and Monticello RMP/FEIS for a complete list of the team members who participated in the preparation of the environmental analyses and planning documents.

CONCLUSION *(If you found that one or more of these criteria is not met, then you cannot conclude that the NEPA documentation fully covers the proposed action).*

Plan Conformance:

- ☒ This proposal conforms to the applicable land use plans.
- ☐ This proposal does not conform to the applicable land use plans

Determination of NEPA Adequacy

- ☒ Based on the review documented above, I conclude that this proposal conforms to the applicable land use plans and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.
- ☐ The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered.

Decision Documentation:

- ☒ A new decision will be prepared.
- ☐ The proposed action is a subset of an existing decision signed:

Signature of Project Lead

Date

Signature of NEPA Coordinator

Date

Signature of the Responsible Official

Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

ATTACHMENTS:

Attachment A - Parcel List, Stipulations, and Notices

Attachment B - Maps

Attachment C - Interdisciplinary Team Checklists